



UK Visas
& Immigration

Customer Services Improvement Directorate.

North West Correspondence Team
UK Visas & Immigration
Department 16
The Capital
Old Hall Place
Liverpool
L3 9PP

Anthony Valcke
rights.clinic@ecas.org

5 December 2013
Our Reference: 29699

Dear Mr Valcke

Thank you for your e-mail of 17 November, in which you ask for concerning “extended family members” under the Immigration (EEA) Regulations 2006. Your request has been handled as a request for information under the Freedom of Information Act 2000.

I am able to disclose the following;

In particular, I would like to obtain copies of internal guidance issues to UKBA caseworkers(possibly by the European Operational Policy Team) on the application of the right to permanent residence to “extended family members”.

The guidance regarding extended family members on European applications is covered by Chapter 5 of the European Casework Instructions (ECIs). This is already available to the public and can be found on the UKBA website via the following link:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/ecis/chapter5.pdf?view=Binary>

I would also like to know how many permanent residence cards have been issued to “extended family members” since 30 April 2006 when the EEA Regulations came into force. I would be grateful if this data could be disaggregated by year and if possible by reference to the relevant paragraph of regulation 10 under which the application was granted.

This information is only available from August 2012. In 2012 there were 5 EEA Permanent Residence Cards issued to extended family members and there have been 25 issued during 2013. We are not able to reference the relevant chapter of regulation 10 each Residence Card was issued under as this information is not held in a reportable format.

If no such guidance or data is available, I would like to obtain confirmation from yourselves that “extended family members” are able to acquire “permanent residence” under the EEA Regulations and/or Directive 2004/38.

Although the above link does not address permanent residence directly, I can confirm that permanent residence is available to an extended family member provided they meet the requirements specified in regulation 8 of the Immigration (EEA) Regulations 2006 for a period of five consecutive years. Information on how regulation 8 is satisfied can be found in Chapter 5 of the ECIs using the above link.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 29699. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Emma Byrne
North West Correspondence Team